

DANIEL R. KRUSE (OSB 064023)
Daniel R. Kruse, Attorney at Law
101 East Broadway, Suite 130
Eugene, OR 97401
Phone: (541) 687-6788
Fax: (541) 345-3373
Email: dan@speaktthelaw.com

Hon. Ann L. Aiken

Attorney for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

**CASCADIA WILDLANDS, THE
CENTER FOR BIOLOGICAL
DIVERSITY, and AUDUBON SOCIETY
OF PORTLAND,**

Plaintiffs,

v.

**SCOTT TIMBER CO., ROSEBURG
RESOURCES CO., and RLC
INDUSTRIES CO.,**

Defendants.

Case No.: 6:16-CV-01710-AA

JOINT STATUS REPORT

Plaintiffs and Defendants submit this joint status report in compliance with the court's September 19, 2024 scheduling order, ECF No. 183.

Plaintiffs previously submitted a motion for costs and attorney fees, ECF No. 146, and the parties stipulated to stay proceedings on that motion pending the outcome of any post-trial motions and appeals. ECF No. 149. The court granted the motion for a stay of proceedings and,

at various times, has continued the stay of proceedings at the parties' request. ECF Nos. 150, 155, 161, 175, 178, 180, and 183.

On September 9, 2024, the court of appeals entered an order denying Defendants' petition for rehearing *en banc*. In the same order, the court of appeals granted Plaintiffs' unopposed motion to transfer consideration of attorney fees and costs on appeal to the district court. *See* Ninth Circuit Rule 39-1.8.

During this most recent stay period, Defendants considered whether to further appeal and Defendants have decided they will not be filing a petition for certiorari with the U.S. Supreme Court. Accordingly, the parties agree that a schedule should be set for resolving Plaintiffs' petition for attorney fees and costs. However, due to previously planned vacations and time away from the office by the parties and their attorneys, the parties and their counsel need additional time to confer on a proposed schedule to submit to the Court.

In light of the foregoing, the parties request that the Court enter an order directing the parties to submit a joint status report that proposes a schedule for resolving Plaintiffs' petition for attorney fees and costs on or before November 1, 2024.

Respectfully Submitted this 18th day of October, 2024.

/s/ Daniel R Kruse

DANIEL R. KRUSE (OSB 064023)

dan@speaktthelaw.com

101 East Broadway, Suite 130

Eugene, OR 97401

(541) 687-6788

(541) 345-3373 (fax)

For Plaintiffs

/s/ Dominic M Carollo

DOMINIC M. CAROLLO (OSB 093057)

dcarollo@carollolegal.com

Carollo Law Group LLC

PO Box 2456

Roseburg, Oregon 97470

(541) 957-5900

(541) 957-5923 (fax)

For Defendants

CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2024 I served the foregoing **Joint Status Report** on Defendants' counsel through the Court's electronic filing and service system.

Dated this 18th day of October, 2024.

/s/ Dominic M Carollo

DOMINIC M. CAROLLO (OSB 093057)

dcarollo@carollolegal.com

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Roseburg, Oregon 97470

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(541) 957-5923 (fax)